

1 PHILLIP A. TALBERT
United States Attorney
2 MICHAEL D. ANDERSON
Assistant United States Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2700
Facsimile: (916) 554-2900
5

6 Attorneys for Plaintiff
United States of America
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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 GARY STEPHEN MAYNARD,
15 Defendant.
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CASE NO. 2:21-CR-0224 TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
[PROPOSED] FINDINGS AND ORDER

DATE: March 31, 2022
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on March 31, 2022.
- 21 2. By this stipulation, defendant now moves to continue the status conference until June 2,
22 2022, and to exclude time between March 31, 2022, and June 2, 2022, under Local Code T4.
- 23 3. The parties agree and stipulate, and request that the Court find the following:
- 24 a) Discovery associated with this case includes at least 12061 pages of reports,
25 photographs, and other documents. This number of discovery pages also includes pages that are
26 placeholders for electronic data produced in native formats, such as video recordings. All of this
27 discovery has been either produced directly to counsel and/or made available for inspection and
28 copying. Current defense counsel, Ms. Sinha, and defense experts have been reviewing the

1 voluminous discovery, which was provided in a digital format. The government and defense
2 counsel also previously arranged for an in-person inspection of the defendant's seized vehicle by
3 a defense investigator, and the government has made available for inspection all other physical
4 items seized during the investigation. Defense counsel has asked the government clarifying
5 questions about the discovery production data files and the government has provided answers to
6 assist the defense team's ongoing review.

7 b) Counsel for defendant desires additional time to review the voluminous
8 discovery, including reviewing reports, viewing videos and photographs, and examining other
9 electronic data and documents. In addition, counsel for the defendant desires additional time to
10 continue to conduct an independent defense investigation of the case, including review of
11 relevant materials by defense experts.

12 c) Counsel for defendant believes that failure to grant the above-requested
13 continuance would deny her the reasonable time necessary for effective preparation, taking into
14 account the exercise of due diligence.

15 d) The government does not object to the continuance.

16 e) Based on the above-stated findings, the ends of justice served by continuing the
17 case as requested outweigh the interest of the public and the defendant in a trial within the
18 original date prescribed by the Speedy Trial Act.

19 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
20 et seq., within which trial must commence, the time period of March 31, 2022 to June 2, 2022,
21 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
22 because it results from a continuance granted by the Court at defendant's request on the basis of
23 the Court's finding that the ends of justice served by taking such action outweigh the best interest
24 of the public and the defendant in a speedy trial.

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4 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
5 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
6 must commence.

7 IT IS SO STIPULATED.
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10 Dated: March 23, 2022

PHILLIP A. TALBERT
United States Attorney

11
12 /s/ MICHAEL D. ANDERSON
MICHAEL D. ANDERSON
13 Assistant United States Attorney

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15 Dated: March 23, 2022

/s/ CHRISTINA SINHA
CHRISTINA SINHA
16 Counsel for Defendant
17 GARY STEPHEN MAYNARD
18

19 **[PROPOSED] ORDER**

20 IT IS SO FOUND AND ORDERED this ____ day of _____, _____.
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22 THE HONORABLE TROY L. NUNLEY
23 UNITED STATES DISTRICT JUDGE
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